

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT)
PETITIONER)

VS.)

AMBER MENARD)
RESPONDENT)
NPN 18933573)

A.I.D. NO. 2021-

06

REVOCATION ORDER

On this day, the matter of the producer's license of Amber Menard ("Respondent") came before Alan McClain, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on January 14, 2021, in the Second Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated November 25, 2020. The hearing was held before Russ Galbraith, Chief Deputy Commissioner, with the Arkansas Insurance Department ("Hearing Officer") pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel. The Respondent did not appear.

FINDINGS OF FACT

1. Respondent is a resident of Nevada.
2. Respondent holds an Arkansas non-resident producer license, NPN 18933573.

3. On or about March 5, 2020, Amica, an insurance carrier, sent notice to the Department that the carrier had terminated the Respondent for cause. Amica terminated the Respondent for her failure to ask required underwriting questions and lack of documentation. Respondent's actions led to some customers being issued a policy contrary to the carrier's underwriting guidelines.

4. On June 12 and October 27, 2020, Department investigators sent written inquiries to the Respondent by both regular and certified mail at the address she provided to obtain her license. Respondent failed to respond to any request from the Department for information.

5. On July 1, 2020, the Indiana Department of Insurance suspended the Respondent's non-resident producer license for failure to provide a list of appointments.

6. On June 24, 2020, the Utah Department of Insurance issued a \$750 administrative fine to the Respondent for failure to respond to a written inquiry from their Department.

7. The Department sent a notice of this hearing to the Respondent on November 25, 2020, by regular and certified mail to her last known address.

CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

1. The Commissioner of Insurance has jurisdiction pursuant to the

Arkansas Insurance Code, specifically Ark. Code Ann. §§23-6-101 et seq.

2. Under the provisions of Ark. Code Ann. § 23-64-512(a)(9), having an insurance producer license or its equivalent denied, suspended, or revoked in any other state, province, district, or territory is a violation of the insurance code. Respondent's actions were a violation of § 23-64-512(a)(9).

3. Under the provisions of Ark. Code Ann. § 23-64-512(a)(13), failing to provide a written response after receipt of a written inquiry from the commissioner or his or her representative as to transactions under the license within thirty (30) days after receipt is a violation of the insurance code. Respondent's actions were a violation of § 23-64-512(a)(13).

RECOMMENDATION OF HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

That the Arkansas non-resident insurance producer license of the Respondent be revoked.



Russ Galbraith
Hearing Officer

CERTIFICATION

I, Alan McClain, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas producer license of Amber Menard, NPN 18933573, is revoked.

IT IS SO ORDERED THIS 1 DAY OF MARCH, 2021.



ALAN MCCLAIN
INSURANCE COMMISSIONER
STATE OF ARKANSAS